

# MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on the bill, H.R. 1.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from Nevada (Ms. BERKLEY) on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 203, nays 218, not voting 13, as follows:

[Roll No. 637]

## YEAS—203

|                |                |                  |
|----------------|----------------|------------------|
| Abercrombie    | Hill           | Napolitano       |
| Ackerman       | Hinchey        | Neal (MA)        |
| Alexander      | Hinojosa       | Oberstar         |
| Allen          | Hoefel         | Obey             |
| Baca           | Holden         | Oliver           |
| Baird          | Holt           | Ortiz            |
| Baldwin        | Honda          | Owens            |
| Becerra        | Hoolley (OR)   | Pallone          |
| Bell           | Hoyer          | Pascarell        |
| Berkley        | Inslee         | Pastor           |
| Berman         | Israel         | Payne            |
| Berry          | Jackson (IL)   | Pelosi           |
| Bishop (GA)    | Jackson-Lee    | Pomeroy          |
| Blumenauer     | (TX)           | Price (NC)       |
| Boehlert       | Jefferson      | Rahall           |
| Boswell        | John           | Rangel           |
| Boucher        | Johnson, E. B. | Reyes            |
| Boyd           | Jones (NC)     | Rodriguez        |
| Brady (PA)     | Jones (OH)     | Ross             |
| Brown, Corrine | Kanjorski      | Rothman          |
| Capps          | Kaptur         | Roybal-Allard    |
| Capuano        | Kennedy (RI)   | Ruppersberger    |
| Cardin         | Kildee         | Rush             |
| Cardoza        | Kilpatrick     | Ryan (OH)        |
| Carson (IN)    | Kind           | Sabo             |
| Carson (OK)    | Kleczka        | Sanchez, Linda   |
| Case           | Kucinich       | T.               |
| Clay           | Lampson        | Sanchez, Loretta |
| Clyburn        | Langevin       | Sanders          |
| Conyers        | Lantos         | Sandlin          |
| Cooper         | Larsen (WA)    | Schakowsky       |
| Costello       | Larson (CT)    | Schiff           |
| Cramer         | Leach          | Scott (GA)       |
| Crowley        | Lee            | Scott (VA)       |
| Cummings       | Levin          | Serrano          |
| Davis (AL)     | Lewis (GA)     | Sherman          |
| Davis (CA)     | Lipinski       | Skelton          |
| Davis (FL)     | Lofgren        | Slaughter        |
| Davis (TN)     | Lowe           | Snyder           |
| DeFazio        | Lucas (KY)     | Solis            |
| DeGette        | Lynch          | Spratt           |
| Delahunt       | Majette        | Stark            |
| DeLauro        | Maloney        | Stenholm         |
| Deutsch        | Markey         | Strickland       |
| Dicks          | Marshall       | Stupak           |
| Dingell        | Matheson       | Sweeney          |
| Doggett        | Matsui         | Tanner           |
| Dooley (CA)    | McCarthy (MO)  | Tauscher         |
| Doyle          | McCarthy (NY)  | Taylor (MS)      |
| Edwards        | McCollum       | Thompson (CA)    |
| Emanuel        | McDermott      | Thompson (MS)    |
| Engel          | McGovern       | Tierney          |
| Eshoo          | McHugh         | Towns            |
| Etheridge      | McIntyre       | Turner (TX)      |
| Evans          | McNulty        | Udall (CO)       |
| Farr           | Meehan         | Udall (NM)       |
| Fattah         | Meek (FL)      | Van Hollen       |
| Filner         | Meeks (NY)     | Velazquez        |
| Ford           | Menendez       | Visclosky        |
| Frank (MA)     | Michaud        | Waters           |
| Frost          | Millender      | Watson           |
| Gonzalez       | McDonald       | Watt             |
| Gordon         | Miller (NC)    | Waxman           |
| Green (TX)     | Miller, George | Weiner           |
| Grijalva       | Mollohan       | Wexler           |
| Gutierrez      | Moore          | Woolsey          |
| Hall           | Moran (VA)     | Wu               |
| Harman         | Murtha         | Wynn             |
| Hastings (FL)  | Nadler         |                  |

## NAYS—218

|                 |               |               |
|-----------------|---------------|---------------|
| Aderholt        | Gilchrest     | Otter         |
| Akin            | Gillmor       | Oxley         |
| Bachus          | Gingrey       | Paul          |
| Baker           | Goode         | Pearce        |
| Ballenger       | Goodlatte     | Pence         |
| Barrett (SC)    | Goss          | Peterson (MN) |
| Bartlett (MD)   | Granger       | Peterson (PA) |
| Barton (TX)     | Graves        | Petri         |
| Bass            | Green (WI)    | Pickering     |
| Beauprez        | Greenwood     | Pitts         |
| Bereuter        | Gutknecht     | Platts        |
| Biggert         | Harris        | Pombo         |
| Bilirakis       | Hart          | Porter        |
| Bishop (UT)     | Hastings (WA) | Portman       |
| Blackburn       | Hayes         | Pryce (OH)    |
| Blunt           | Hayworth      | Putnam        |
| Boehner         | Hefley        | Quinn         |
| Bonilla         | Hensarling    | Radanovich    |
| Bonner          | Herger        | Ramstad       |
| Bono            | Hobson        | Regula        |
| Boozman         | Hoekstra      | Rehberg       |
| Bradley (NH)    | Hostettler    | Renzi         |
| Brady (TX)      | Houghton      | Reynolds      |
| Brown (SC)      | Hulshof       | Rogers (AL)   |
| Brown-Waite     | Hunter        | Rogers (KY)   |
| Ginny           | Hyde          | Rogers (MI)   |
| Burgess         | Issa          | Rohrabacher   |
| Burns           | Istook        | Ros-Lehtinen  |
| Burr            | Janklow       | Royce         |
| Burton (IN)     | Jenkins       | Ryan (WI)     |
| Buyer           | Johnson (CT)  | Ryun (KS)     |
| Calvert         | Johnson (IL)  | Saxton        |
| Camp            | Johnson, Sam  | Schrock       |
| Cannon          | Keller        | Sensenbrenner |
| Cantor          | Kelly         | Sessions      |
| Capito          | Kennedy (MN)  | Shadeegg      |
| Carter          | King (IA)     | Shaw          |
| Castle          | King (NY)     | Shays         |
| Chabot          | Kingston      | Sherwood      |
| Chocola         | Kirk          | Shimkus       |
| Coble           | Kline         | Shuster       |
| Cole            | Knollenberg   | Simmons       |
| Cox             | Kolbe         | Simpson       |
| Crane           | LaHood        | Smith (MI)    |
| Rahall          | Latham        | Smith (NJ)    |
| Crenshaw        | LaTourrette   | Smith (TX)    |
| Culberson       | Lewis (CA)    | Souder        |
| Cunningham      | Lewis (KY)    | Stearns       |
| Davis, Jo Ann   | Linder        | Tancredo      |
| Davis, Tom      | LoBiondo      | Tauzin        |
| Deal (GA)       | Lucas (OK)    | Taylor (NC)   |
| DeMint          | Manzullo      | Terry         |
| Diaz-Balart, L. | McCotter      | Thomas        |
| Diaz-Balart, M. | McCrery       | Thornberry    |
| Doolittle       | McInnis       | Tiahrt        |
| Dreier          | McKeon        | Tiberi        |
| Duncan          | Mica          | Toomey        |
| Dunn            | Miller (FL)   | Turner (OH)   |
| Ehlers          | Miller (MI)   | Upton         |
| Emerson         | Miller, Gary  | Vitter        |
| English         | Moran (KS)    | Walden (OR)   |
| Everett         | Murphy        | Walsh         |
| Feeney          | Musgrave      | Wamp          |
| Ferguson        | Myrick        | Weldon (FL)   |
| Flake           | Nethercutt    | Weldon (PA)   |
| Foley           | Neugebauer    | Weller        |
| Forbes          | Ney           | Whitfield     |
| Fossella        | Northup       | Wicker        |
| Franks (AZ)     | Norwood       | Wilson (NM)   |
| Frelinghuysen   | Nunes         | Wilson (SC)   |
| Galleghy        | Nussle        | Wolf          |
| Garrett (NJ)    | Osborne       | Young (AK)    |
| Gerlach         | Ose           | Young (FL)    |
| Gibbons         |               |               |

## NOT VOTING—13

|             |            |            |
|-------------|------------|------------|
| Andrews     | Cubin      | Isakson    |
| Ballance    | Davis (IL) | Smith (WA) |
| Bishop (NY) | DeLay      | Sullivan   |
| Brown (OH)  | Fletcher   |            |
| Collins     | Gephardt   |            |

□ 1409

Mr. SMITH of New Jersey changed his vote from "yea" to "nay."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. SWEENEY. Mr. Speaker, please be advised that on the Berkley motion to instruct on November 19, 2003, I inadvertently voted "yea" when my intent was to vote "nay."

# OVERSEAS PRIVATE INVESTMENT CORPORATION AMENDMENTS ACT OF 2003

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1824) to amend the Foreign Assistance Act of 1961 to reauthorize the Overseas Private Investment Corporation, and for other purposes.

The Clerk read as follows:

S. 1824

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Overseas Private Investment Corporation Amendments Act of 2003".

## SEC. 2. ISSUING AUTHORITY.

Section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)) is amended by striking "November 1, 2000" and inserting "2007".

## SEC. 3. TECHNICAL CORRECTIONS.

(a) ADMINISTRATIVE COSTS.—Section 235(a)(1)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(1)(B)) is amended by striking "subsidy cost" and inserting "subsidy and administrative costs".

(b) NONCREDIT ACCOUNT REVOLVING FUND.—Section 235(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(c)) is amended—

(1) in the first sentence—

(A) by striking "an insurance and guaranty fund, which shall have separate accounts to be known as the Insurance Reserve and the Guaranty Reserve, which reserves" and inserting "a noncredit account revolving fund, which"; and

(B) by striking "such reserves have" and inserting "of the fund has";

(2) by striking the third sentence; and

(3) in the last sentence, by striking "reserves" and inserting "fund".

(c) PAYMENTS TO DISCHARGE LIABILITIES.—Section 235(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(d)) is amended—

(1) in the first sentence, by striking "Insurance Reserve, as long as such reserve" and inserting "noncredit account revolving fund, as long as such fund"; and

(2) in the second sentence, by striking "or under similar predecessor guaranty authority" and all that follows through "subsection (f) of this section" and inserting "or 234(c) shall be paid in accordance with the Federal Credit Reform Act of 1990".

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 235(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(f)) is amended—

(1) in the first sentence, by striking "insurance and guaranty fund" and inserting "noncredit account revolving fund"; and

(2) by striking "Insurance Reserve" each place it appears and inserting "noncredit account revolving fund".

(e) BOARD OF DIRECTORS.—Section 233(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2193(b)) is amended in the second paragraph—

(1) by striking "officials" and inserting "principal officers";

(2) by inserting "whose duties relate to the programs of the Corporation" after "Government of the United States"; and

(3) by striking "an official" and inserting "one such officer".

## SEC. 4. INVESTMENT INSURANCE.

(a) EXPROPRIATION OR CONFISCATION.—Section 234(a)(1)(B) of the Foreign Assistance Act of 1961 (22 U.S.C. 2194(a)(1)(B)) is amended by inserting "or any political subdivision thereof" after "government".

(b) DEFINITION OF EXPROPRIATION.—Section 238(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2198(b)) is amended by inserting "